

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

UNITED STATES OF AMERICA,

CR 22-50070

Plaintiff,

FACTUAL BASIS STATEMENT

vs.

MICHAEL DOUGLAS MCKILLIP,

Defendant.

The defendant stipulates that the following facts are true and the parties agree they establish a factual basis for the plea in the action pursuant to Federal Rules of Criminal Procedure 11(b)(3):

On January 20, 2022, Internet Crimes Against Children Taskforce (ICAC) member and Rapid City Police Department Detective Elliott Harding received a Cybertip from the National Center for Missing and Exploited Children (NCMEC) who had received a report from Microsoft regarding an image of suspected child pornography downloaded by a person later identified as Michael Douglas McKillip. The download occurred around November 24, 2021. ICAC Inv. Jesse Fagerland wrote a state search warrant to unlock the Cybertip image and upon review, Det. Harding determined it was child pornography involving a female 9-13 years old straddling a nude adult male and holding two other adult male penises. There was ejaculate on the girl and the man she was straddling, and the girl's nude genitals were visible in the image.

Agents contacted VAST Broadband, the internet provider associated with the Cybertip and found it belonged to McKillip and was associated with his Rapid

City apartment. On February 9, 2022, agents executed a search warrant on McKillip's apartment and located multiple electronic storage devices. During an interview, McKillip admitted it was his VAST account and that he had lived at the apartment alone for approximately 11 years. He also advised he has no visitors except family and those visits were rare. McKillip's wireless router was password protected.

A brief preview of the devices at the home did not reveal images of child pornography so McKillip was not arrested. Back at ICAC, Forensic Examiner Hollie Strand located several images of child pornography, so agents returned to the home to arrest McKillip. Agents again interviewed him, and he indicated that he was "concerned" about what they might find on his devices and that child pornography may be "put there." McKillip admitted to masturbating to 14-16-year-old "nudists" and several times to the Cybertip image.

ICAC Forensic Examiner Hollie Strand did the device extractions and exams and located 1,195 images of child pornography to include toddler rape and bondage/torture images on four devices between February 4, 2018, and February 9, 2022.

All images were downloaded from the internet and the devices used to receive and possess the illegal images were located outside the district of South Dakota. The earliest date she located for receipt images was February 4, 2018.

Additionally, Strand located multiple minors McKillip had direct communications with and from whom he sought images of child pornography. On several occasions, McKillip would ask for the images and then would video

record the images with a separate device. All communication occurred on the internet. The sexual exploitation of three minors is set forth below:

L.G.

- Messages containing the sexual exploitation occurred between January 15, 2022, and January 16, 2022
- L.G. was 16 years old
- McKillip was 31 years old
- One video and 1 picture meet the federal definition of child pornography but there were more depicting her breasts

D.B.

- Messages containing the sexual exploitation occurred between December 4, 2018, and April 17, 2019
- D.B. was 16 years old
- McKillip was 28 years old
- 7 Videos and 23 pictures meet the federal definition of child pornography

R.W.

- Messages containing the sexual exploitation occurred between February 15, 2019, and July 15, 2019
- R.W. was 15 and 16 years old
- McKillip was 28 years old
- 5 videos and 11 pictures meet the federal definition of child pornography but there were more depicting her breast

08/16/23

Date

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United States Attorney

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8-15-23

Date

Michael Douglas McKillip

Michael Douglas McKillip
Defendant

8.15.23

Date

Ellery Grey
Ellery Grey
Attorney for Defendant